

ORDINANCE NO. 2015-05

**ORDINANCE VACATING A SEGMENT OF HEARTWOOD STREET
(A.K.A. "QUANDARY LANE") IN KNOX RIDGE NO. 4
FILE NO. VAC-15-00351**

WHEREAS, a petition has been filed with the City of Forest Grove to initiate the vacation of a segment of the Heartwood Street (a.k.a. "Quandary Lane") right-of-way; and

WHEREAS, notice of the proposed vacation was published in the *Forest Grove News-Times* on May 13 and 20, 2015, as required by ORS 271.110(1); and

WHEREAS, notice of the proposed vacation was posted near the site proposed for vacation on May 4, 2015, as required by ORS 271.110(2); and

WHEREAS, notice of this proposal was mailed on May 4, 2015, to property owners and residents within 300 feet of the site, as required by Development Code Sections 10.1.715 and 10.1.720; and

WHEREAS, a new street right-of-way alignment will be dedicated concurrent with the Pacific Crossing 3 final plat, rendering this segment unnecessary for public access and utilities; and

WHEREAS, vacation of this street segment is required in order to complete the final plat for Pacific Crossing 3; and

WHEREAS, the City Council held a duly-noticed Public Hearing on the proposed ordinance on May 26, 2015, and continued the hearing on June 8, 2015.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The City Council has made a determination that the application complies with the provisions of ORS Chapter 271.

Section 2. On the basis of the above findings, the street segment described in Exhibit "A" (Legal Description) and Exhibit "B" (Map) is hereby vacated, subject to the following conditions:

- A. The City hereby reserves a non-exclusive temporary easement over the vacated area. The easement shall terminate at such time as all existing utility lines are removed from their present locations in the easement. Upon removal of the utilities, the City covenants that it will execute, acknowledge, and record in the real property records of Washington County a memorandum or other document that evidences termination of the easement and is sufficient to remove the easement as an encumbrance of record on the property.

- B. The applicant shall be responsible for removal of any and all utilities from within the right-of-way to be vacated. Removal of the utilities shall be at the applicant's expense.

Section 3. This ordinance shall be effective 30 days following its enactment by the City Council.


PRESENTED AND PASSED the first reading this 26th day of May, 2015.

PASSED the second reading this 8th day of June, 2015.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of June, 2015.



Peter B. Truax, Mayor



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #4282

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM, OR

EXHIBIT A

Legal Description Right-of-Way Vacation

A tract of land located in the Southwest One-Quarter of Section 36, Township 1 North, Range 4 West, Willamette Meridian, City of Forest Grove, Washington County, Oregon and being more particularly described as follows:

Beginning at the southeasterly corner of Tract 'D' of "Knox Ridge No. 4", thence along the easterly line of said plat South $00^{\circ}41'23''$ West 55.71 feet to a point on the northerly line of Tract 'E' of said plat; thence along said northerly line South $66^{\circ}20'44''$ West 13.93 feet to a point; thence along a curve to the left with a Radius of 12.00 feet, Delta of $90^{\circ}00'00''$, Length of 18.85 feet, and a Chord of South $21^{\circ}20'44''$ West 16.97 feet to a point on the northeasterly right-of-way line of Strasburg Drive (27 feet from centerline); thence along said northeasterly right-of-way North $23^{\circ}39'28''$ West 74.01 feet to a point on the southerly line of said Tract 'D'; thence along said southerly line along a non-tangential curve to the left with a Radius of 12.00 feet, Delta of $90^{\circ}00'00''$, Length of 18.85 feet, and a Chord of South $68^{\circ}39'16''$ East 16.97 feet to a point; thence North $66^{\circ}20'44''$ East 17.36 feet to a point; thence along a curve to the left with a Radius of 251.00 feet, Delta of $04^{\circ}27'51''$, Length of 19.56 feet, and a Chord of North $64^{\circ}06'48''$ East 19.55 feet to the Point of Beginning.

The above described tract of land contains 1,929 square feet, more or less. The Basis of Bearings is per the plat of "Knox Ridge No. 4", Washington County Plat records.

02/06/2015

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

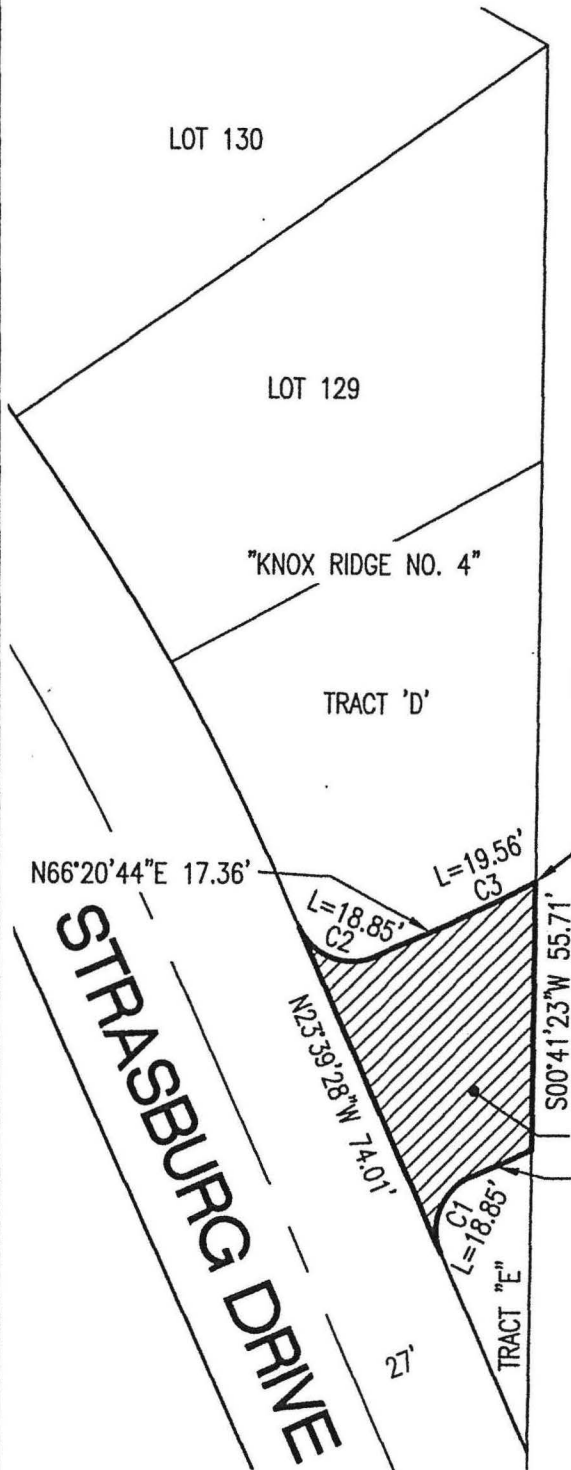
RENEWS: 6/30/16

EXHIBIT B

RIGHT-OF-WAY VACATION

A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 36,
TOWNSHIP 1 NORTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, CITY OF FOREST GROVE,
WASHINGTON COUNTY, OREGON

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	12.00	90°00'00"	18.85'	S21°20'44"W 16.97'
C2	12.00'	90°00'00"	18.85'	S68°39'16"E 16.97'
C3	251.00'	4°27'51"	19.56'	N64°06'48"E 19.55'



DOC. NO. 2003074765

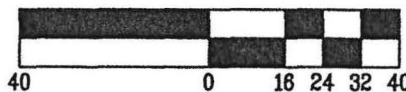
POINT OF BEGINNING

AREA: 1,929 SF±
S66°20'44"W 13.93'

PREPARED FOR

VENTURE PROPERTIES
4230 GALEWOOD STREET
LAKE OSWEGO, OR 97035

SCALE 1" = 40 FEET



02-06-2015

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

THE BASIS OF BEARINGS IS PER THE PLAT OF
"KNOX RIDGE NO. 4", WASHINGTON COUNTY PLAT
RECORDS.

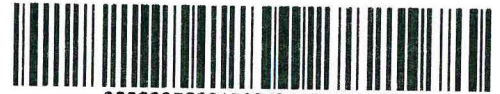
VENTURE: MISC. PROJECT MANAGEMENT

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD SUITE 100
TUALATIN, OR 97062 www.aks-eng.com
PHONE: 503.563.6151 FAX: 503.563.6152

AKS

EXHIBIT
B

DRWN: BRH
CHKD: NSW
AKS JOB:
4282



02090053201500797730060060

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



After Recording Return to:
EXPT
City of Forest Grove
City Recorder
P. O. Box 326
Forest Grove, OR 97116-0326

STATE OF OREGON {
County of Washington {
City of Forest Grove {

I, **Anna D. Ruggles**, the duly appointed and qualified City Recorder of the City of Forest Grove, Washington County, Oregon, do hereby certify that I have compared the attached copy of

ORDINANCE NO. 2015-06

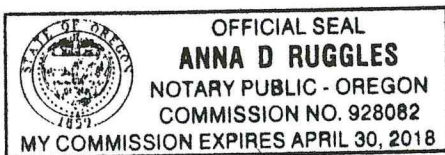
**AN ORDINANCE VACATING A SEGMENT OF HEARTWOOD STREET
(A.K.A. "QUANDARY LANE") IN KNOX RIDGE NO. 4;
(FILE NO. VAC-15-00351)**

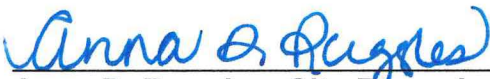
Subject to the following conditions:

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- B. The applicant shall be responsible for removal of any and all utilities from within the right-of-way to be vacated. Removal of the utilities shall be at the applicant's expense.

With the original now on file in my office, of which I am the legal custodian, and the attached copy is a true, correct, and complete copy of the whole thereof.

IN WITNESS whereof, I have hereunto set my hand and affixed my official Notary seal this 8th day of June, 2015.





Anna D. Ruggles, City Recorder
Commission No. 928082
Expires April 30, 2018

ORDINANCE NO. 2015-05

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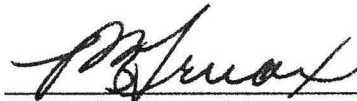
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APPROVED by the Mayor this 8th day of June, 2015.



Peter B. Truax, Mayor



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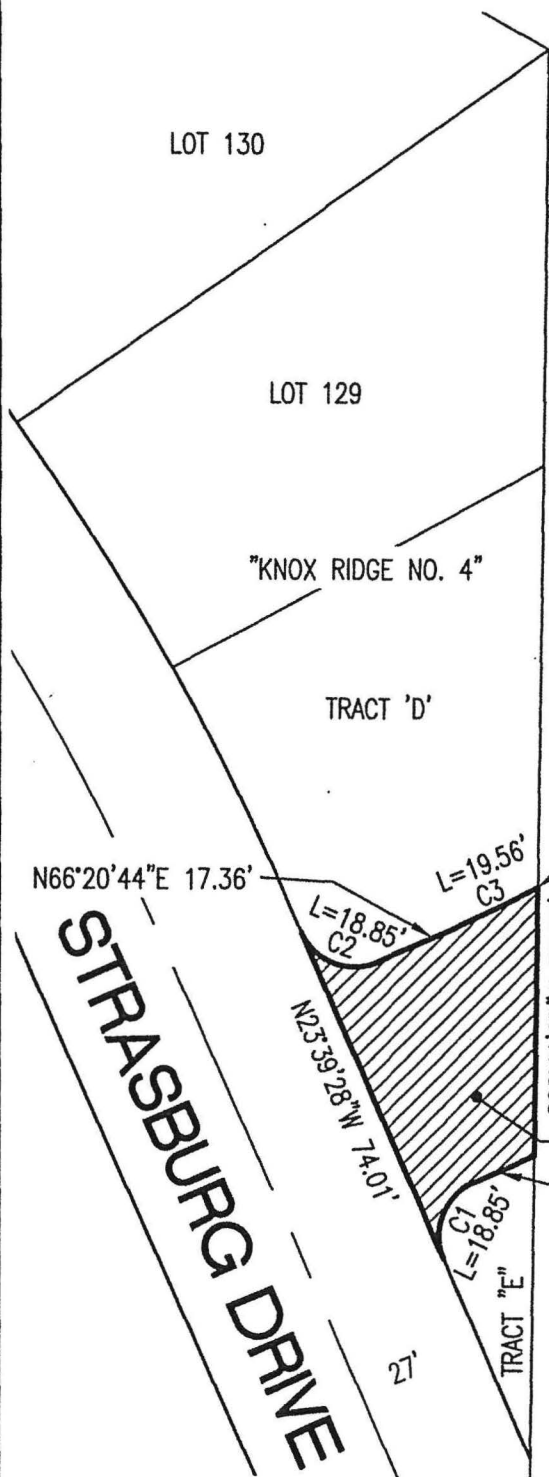
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EXHIBIT
B

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CHKD: NSW

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